



IPW

Docket No. END5255USNP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Biten K. Kathrani, et al.

Serial No. : 10/324,597 Art Unit: 3734

Filed : January 20, 2004 Examiner: Not yet assigned

For : MEDICAL DEVICE FOR PROVIDING ACCESS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313 on

May 5  
April 5 2005  
(Date of Deposit)

Linda F. Hansen  
(Name of applicant, assignee, or Registered Representative)

Linda F. Hansen  
(Signature)

May 5 2005  
(Date of Signature)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:

- Statement in Accordance with §1.97(e) (attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of  
\$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e) (attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of  
\$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THE CITED U.S PATENTS:

- In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
  - If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- All of the listed references are in the English language.
- The relevance of those listed references which are not in the English language is as follows: Translations are provided for the non-English language references.
- Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an earlier IDS.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END5255USANP/GSG.

Respectfully submitted,

/Gerry Gressel/  
Gerry Gressel, Reg. #34,342  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3535  
DATED: April 18, 2005



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Application Number

10/761,159

Filing Date

January 20, 2004

First Named Inventor

Biten K. Kathrani

Group Art Unit

3734

Examiner Name

Not assigned

Attorney Docket Number

END5255USNP

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,593,402		Patrick, et al.	01-14-1997	ALL
		5,613,954		Nelson, et al.	03-25-1997	ALL
		5,792,112		Hart, et al.	08-11-1998	ALL
						ALL
						ALL
						ALL
						ALL
						ALL
						ALL
						ALL
						ALL
						ALL
						ALL

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		CA	2,213,540		De Bellis, Maria	02-21-1999	ALL	T
							ALL	
							ALL	
							ALL	
							ALL	
							ALL	
							ALL	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark



SUBMISSION UNDER MPEP 609 D

Page 1 of 1

<i>Application Number</i>	10/761,159
<i>Filing Date</i>	January 20, 2004
<i>First Named Inventor</i>	Biten K. Kathrani
<i>Group Art Unit</i>	3734
<i>Examiner Name</i>	Not assigned
<i>Attorney Docket Number</i>	END5255USNP

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
			Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>		
						ALL	

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--